



DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Conference on Weights and Measures 2023 Interim Meeting

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice.

SUMMARY: The 2023 Interim Meeting of the National Conference on Weights and Measures (NCWM) will be held in-person at the Hyatt Regency Savannah in Savannah, Georgia from Sunday, January 8 through Wednesday, January 11, 2023. This notice contains information about significant items on the NCWM Committee agendas but does not include all agenda items. As a result, the items are not consecutively numbered.

DATES: The 2023 Interim Meeting will be held from Sunday, January 8, 2023, through Wednesday, January 11, 2023. The meeting schedule is tentatively: Sunday, January 8 from 8:00 a.m. to 7:00 p.m.; Monday, January 9 from 7:30 a.m. to 5:00 p.m.; Tuesday, January 10 from 7:30 a.m. to 5:00 p.m.; and Wednesday, January 11 from 7:30 a.m. to 12:00 p.m. Eastern Time. The meeting schedule will be available on the NCWM website at www.ncwm.com.

ADDRESSES: This meeting will be held in-person at the Hyatt Regency Savannah, in Savannah, Georgia, 2 W. Bay Street Savannah, Georgia 31401.

FOR FURTHER INFORMATION CONTACT: Dr. Katrice Lipka, NIST, Office of Weights and Measures, 100 Bureau Drive, Stop 2600, Gaithersburg, MD 20899-2600. You may also contact Dr. Lipka at (301) 975- 3116 or by e-mail at katrice.lipka@nist.gov. The meeting is open to the public, but the payment of a registration fee is required. Please see the NCWM website (www.ncwm.com) to view the meeting agendas, registration forms, and hotel reservation information.

SUPPLEMENTARY INFORMATION: Publication of this notice on the NCWM's behalf is undertaken as a public service and does not itself constitute an endorsement by the National Institute of Standards and Technology (NIST) of the content of the notice. NIST participates in the NCWM as an NCWM member and pursuant to 15 U.S.C. 272(b)(10) and (c)(4) and in accordance with Federal policy (e.g., OMB Circular A-119 “Federal Participation in the Development and Use of Voluntary Consensus Standards”).

The NCWM is an organization of weights and measures officials of the states, counties, and cities of the United States, and representatives from the private sector and federal agencies. These meetings bring together government officials and representatives of business, industry, trade associations, and consumer organizations on subjects related to the field of weights and measures technology, administration, and enforcement. NIST hosted the first meeting of the NCWM in 1905. Since then, the conference has provided a model of cooperation between Federal, State, and local governments and the private sector. NIST participates to encourage cooperation between federal agencies and the states in the development of legal metrology requirements. NIST also promotes uniformity in state laws, regulations, and testing procedures used in the regulatory control of commercial weighing and measuring devices, packaged goods, and for other trade and commerce issues.

The NCWM has established multiple committees, task groups, and other working bodies to address legal metrology issues of interest to regulatory officials, industry, consumers, and others. The following are brief descriptions of some of the significant agenda items that will be considered by some of the NCWM Committees at the NCWM Interim Meeting. Comments will be taken on these and other issues during several public comment sessions. At this stage, the items are proposals.

This meeting also includes work sessions in which the Committees may accept comments, and where recommendations will be developed for consideration and possible adoption at the

NCWM 2023, 108th Annual Meeting. The Committees may withdraw or carryover items that need additional development.

These notices are intended to make interested parties aware of these development projects and to make them aware that reports on the status of the project will be given at the Interim Meeting.

The notices are also presented to invite the participation of manufacturers, experts, consumers, users, and others who may be interested in these efforts.

The following are brief descriptions of some of the significant agenda items that will be considered at the 2023 NCWM Interim Meeting. Comments will be taken on these and other recommendations to amend NIST Handbook 44, “Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices” (NIST Handbook 44 or HB 44), NIST Handbook 130, “Uniform Laws and Regulations in the areas of Legal Metrology and Fuel Quality” (NIST Handbook 130 or HB 130), and NIST Handbook 133, “Checking the Net Contents of Packaged Goods” (NIST Handbook 133 or HB 133). These NIST Handbooks are regularly adopted by reference or through the administrative procedures of all the states.

NCWM S&T Committee (S&T 2023 Interim Meeting)

The Specifications and Tolerances Committee (S&T Committee) will consider proposed amendments to NIST Handbook 44. Those items address weighing and measuring devices used in commercial applications, that is, devices that are used to buy from or sell to the public or used for determining the quantity of products or services sold among businesses.

The following items are proposals to amend NIST Handbook 44:

Item Block 2 (B2) A Define True Value for Use in Error Calculations.

BLK-2: (SCL-20.3, SCL-20.4, SCL-20.5, SCL-20.6, SCL-20.7, and SCL-20.8)

The S&T Committee will further consider a proposal that has been designated as an “Assign” item meaning that these items have merit but are found to need further development. This “block” proposal includes six individual items related to the application of NIST Handbook 44 requirements based on the values of a scale’s verification scale division “e” or the minimum

scale division “d”. Adoption of this proposal would have a great significant impact on scales, particularly in cases where the values of “e” and “d” are not equal.

Item Block 4 (B4) D Electronically Captured Tickets or Receipts.

The S&T Committee will further consider a proposal to allow for the expanded use of electronic captured tickets and receipts by amending NIST HB 44 Sections 1.10. General, 3.30. LMD, 3.31. VTM, 3.32. LPG, 3.34. CLM, 3.37. MFM, 3.38. CDL, 3.39. HGM, 3.35. Milk Meters, and the definition of “recorded representation” in Appendix D, Definitions. The Committee amended this carry-over block of items during the 2020 Interim Meeting based on comments it received expressing a continued need for printed tickets. As a result, the proposal now references NIST HB 44 paragraph G-S.5.6. in various specific codes. At the 2021 NCWM Annual Meeting, the S&T Committee designated this block proposal as Developing for further comment and consideration. At the 2022 Interim and Annual Meetings the S&T Committee designated a Developing status for this block of items to provide stakeholders the opportunity for further review and additional comments on the various devices affected by this proposal.

VTM – Vehicle Tank Meters

VTM-18.1 S.3.1.1. Means for Clearing the Discharge Hose and UR.2.6. Clearing the Discharge Hose.

The S&T Committee will further consider this item, which proposes to provide specifications and user requirements for manifold flush systems designed to eliminate product contamination on VTMs used for multiple products. This proposal would add specifications on the design of VTMs under S.3.1.1. “Means for Clearing the Discharge Hose.” and add a new user requirement UR.2.6. “Clearing the Discharge Hose.” During open hearings of previous NCWM meetings, comments were heard about the design of any system to clear the discharge hose of a product prior to the delivery of a subsequent product which could provide opportunities to fraudulently use this type of system. At the 2021 NCWM Annual Meeting the Committee agreed to keep this item Developing for further comments and consideration. At the 2022 Interim Meeting the

Committee agreed to add a new paragraph UR.2.6.2., Minimizing Cross Contamination, to address issues raised about the possibility of cross contamination in receiving tanks with the use of this equipment. The Committee designated a Voting status for this item. At the 2022 Annual Meeting this item failed to receive an adequate number of votes to pass and was returned to the S&T Committee.

WIM – Weigh-In-Motion Systems

WIM-23.1: All subsections (A, S, N, T, UR) within Section 2.25. Weigh-In-Motion Systems Used for Vehicle Enforcement Screening – Tentative Code.

The S&T Committee will consider a proposal to convert the current *Tentative* Code of Section 2.25 Weigh-In-Motion Systems Used for Vehicle Enforcement Screening to *Permanent* and to expand the code to include “and Enforcement”. This also includes (but is not limited to): (1) the addition of an Accuracy Class "E" WIM scale (in addition to Class A) in the specifications (S); (2) the addition of test procedures to address the new Accuracy Class E in the test procedures (N) section for the determination of test speeds, dynamic test loads, and vehicle positions; (3) the designation of more stringent tolerances (T) for Accuracy Class E as compared to those for Accuracy Class A and a designation noting Accuracy Class E tolerances are to be applied to WIM scales used for enforcement purposes; and (4) the addition of a Class E weighing application in the user requirements (UR) for the explicit enforcement of vehicles based on axle, axle group, and gross vehicle weights. Assessments during the 2022 regional weights and measures association meetings recommended a Developing status to allow the submitters to address questions raised regarding the application of tolerances and test procedures; allow input regarding the use of the code for enforcement purposes (rather than screening) from those jurisdictions impacted by the proposed change in scope and status as well as input from other scale manufacturers.

The submitters of this proposal submitted a revised version of these proposed changes to the NCWM following the publication of NCWM Publication 15.

EVF – Electric Vehicle Fueling Systems

EVF-23.1: S.2.5.1., S.8.

The S&T Committee will consider a proposal that will further refine electric vehicle fueling systems code requirements in NIST Handbook 44 *Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices* Section 3.40 Electric Vehicle Fueling Systems Code to: (1) remove the “megajoule” unit of measurement definition and all references to the term cited in the design specifications; (2) base the computation of the total sales price on a more appropriate quantity interval that does not exceed 0.01 kWh rather than a 0.1 kWh; (3) decrease the permissible sizes of the minimum measured quantity (MMQ) to those that are more appropriate quantities for AC and DC systems deliveries and result in a shorter duration for the light load test procedure; and (4) no longer require an accuracy test and the applicable test tolerances at no load and at starting load.

GMA – Grain Moisture Meters 5.56. (A)

GMA-19.1 D Table T.2.1. Acceptance and Maintenance Tolerances Air Oven Method for All Grains and Oil Seeds.

The S&T Committee will further consider a proposal that would reduce the tolerances for the air oven reference method in the Grain Moisture Meter Code. The proposed new tolerances would apply to all types of grains and oil seeds. This item is a carry-over proposal from 2019 and would replace the contents of Table T.2.1. with new criteria. Additional inspection data will be collected and reviewed to assess whether or not the proposed changes to the tolerances are appropriate. At the 2022 Annual Meeting the Committee recommended a Developing status to allow for consideration of additional data.

TMS/TNMS - Taxi Meters and Transportation Network Measurement Systems

Item BLOCK 3 (B3): Tolerances for Distance Testing in Taximeters and Transportation Network Systems.

The S&T Committee will further consider changes included in this block affecting the HB 44 Taximeters Code (Section 5.54.) and the Transportation Network Measurement Systems (TNMS) Code (Section 5.60.) that would amend the value of tolerances allowed for distance tests. The changes proposed in this item would change the Taximeters Code requirement T.1.1. “On Distance Tests” by increasing that tolerance to 2.5 % when the test exceeds one mile. The change to the TNMS Code affects requirement T.1.1. “Distance Tests” by reducing the tolerance allowed on overregistration under T.1.1.(a) from the current 2.5 % to 1 % when the test does not exceed one mile and would increase the tolerance for underregistration in T.1.1.(b) from 2.5 % to 4 %. These changes if adopted would align the tolerances values for distance tests allowed for taximeters and TNMS. At the 2021 NCWM Annual Meeting it was noted that these items were being discussed with the USNWG and the Committee agreed to a Developing status for this item for further comment and consideration. At the 2022 NCWM Annual Meeting the item retained its Developing status.

NCWM L&R Committee (L&R 2023 Interim Meeting)

The Laws and Regulations Committee (L&R Committee) will consider proposed amendments to NIST Handbook 130 and NIST Handbook 133.

Item MOS–20.5 Section 2.21 Liquefied Petroleum Gas.

The L&R Committee will further consider a proposal to clarify the existing language for the method of sale of Liquefied Petroleum Gas. This will include changes to the existing language within NIST HB 130 that references a value of “15.6 °C” for temperature determinations in metric units.

According to the current industry practice for sales of petroleum products, the reference temperature for sales in metric are based on 15 °C rather than the exact conversion from

60 °F (which is 15.6 °C). Thus, the temperature reference in metric should be 15 °C. This will also add language for metered sales with a maximum capacity equal to or greater than 20 gal/min will have a metering system that automatic temperature compensates. For metering systems with a maximum capacity less than 20 gal/min adding an effective date of January 2030 to all metered sales shall be accomplished using a metering system that automatic temperature compensates.

Item 22.1. Uniform Labeling Regulation for Electronic Commerce (referred as e-commerce) Products.

The L&R Committee will further consider a proposal that has been designated as an “Assigned” item, meaning that further development will be done by the NCWM Packaging and Labeling Subcommittee. This proposal would add a new regulation into NIST HB 130 that pertains to the labeling of products in e-commerce for consumer commodities and non-consumer commodities. This regulation will provide guidance to industry, as well as those states that adopt this regulation for the purpose of inspecting ecommerce websites. This regulation would also lay out the terms that shall appear on an e-commerce website including product identity, net quantity, responsible party, unit price and price information. The development of this item will include outreach to stakeholders, including federal agencies. Online businesses shall have this regulation implemented 18 months after adoption. Stakeholder input and feedback is being asked.

Cannabis - Item NET-22.1 HB133, Section 1.2.6. Deviations Caused by Moisture Loss or Gain and Section 2.3.8.

Table 2-3 Moisture Allowances provides for a 3 % moisture allowance for Cannabis plant

material containing more than 0.3 % total delta-9 THC (Cannabis, Marijuana, or Marihuana) or containing 0.3 % less total delta-9 THC (hemp).¹

Item Block 3 Cannabis - B3: PALS –22.1. Section XX. *Cannabis* and *Cannabis-Containing Products*.²

The Committee will further consider proposals to establish definitions within NIST HB 130 Packaging and Labeling Requirements for *Cannabis* and *Cannabis* containing products. In addition, PAL–22.2 Section 10.XX. *Cannabis* and *Cannabis-Containing Products* will establish labeling requirements. B3: MOS–22.2. HB130 Section 1.XX. and Section 2.XX. *Cannabis* and *Cannabis-Containing Products*. The Committee will consider a proposal to amend these two sections to include language for a method of sale for Cannabis. Included within this proposal is also a water activity limit of 0.60 (\pm 0.05), when unprocessed Cannabis is sold or transferred.

Item NET-22.2 Section 3. X. Gravimetric Test Procedure for Viscous and Non-Viscous Liquids by Portable Digital Density Meter.

The L&R Committee will further consider a proposal to develop a test procedure to allow the use of portable digital density meters for net content package testing of viscous and non-viscous liquids labeled in fluid volume. This gravimetric test procedure could be used as a substitute for some of the current test procedure found in NIST Handbook 133 (e.g., 3.2. Gravimetric Test Procedure for Non-Viscous Liquids, 3.3. Volumetric Test Procedure for Non-Viscous Liquids and 3.4. Volumetric Test Procedures for Viscous Fluids – Headspace) providing a time savings and reducing destructive testing.

Alicia Chambers,

NIST Executive Secretariat.

¹ In contrast to hemp, marijuana, defined as cannabis with a tetrahydrocannabinol (THC) concentration of more than 0.3 percent on a dry weight basis, remains a Schedule I substance under the Controlled Substances Act (CSA). 21 U.S.C. 812(d); 21 CFR 1308.11(d)(23).

² See footnote 1.

